

FORM PTO-1390 (Modified)
(REV. 07-2004)

U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE

ATTORNEY'S DOCKET NUMBER

28069-603 NATL

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/507345INTERNATIONAL APPLICATION NO.
PCT/EP03/02537INTERNATIONAL FILING DATE
12 March 2003 (12.03.03)PRIORITY DATE CLAIMED
12 March 2002 (12.03.02)

TITLE OF INVENTION

A SYSTEM FOR THE CONTROLLED RELEASE OF ACTIVE INGREDIENTS

APPLICANT(S) FOR DO/EO/US

JAGOTEC, AG

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

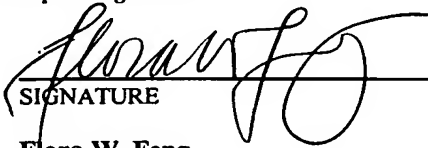
1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No. **EV287338126US**
23. ☒ Other items or information:

Copy of Italian Priority Document, Check, Postcard

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/507345</div>		INTERNATIONAL APPLICATION NO. PCT/EP03/02537		ATTORNEY'S DOCKET NUMBER 28069-603 NATL	
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24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :				CALCULATIONS PTO USE ONLY																																																																																					
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00																																																																																									
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The fees indicated above are reduced by 1/2. </td> <td>\$0.00</td> </tr> <tr> <td colspan="5" style="text-align: right;">SUBTOTAL =</td> <td>\$920.00</td> </tr> <tr> <td colspan="4" style="vertical-align: top;"> Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). </td> <td colspan="2" style="text-align: center; vertical-align: bottom;"> \$0.00 </td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL NATIONAL FEE =</td> <td colspan="2">\$920.00</td> </tr> <tr> <td colspan="4" style="vertical-align: top;"> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). </td> <td colspan="2" style="text-align: center; vertical-align: bottom;"> <input type="checkbox"/> \$0.00 </td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL FEES ENCLOSED =</td> <td colspan="2">\$920.00</td> </tr> <tr> <td colspan="4" rowspan="2"></td> <td colspan="2" style="text-align: center;"> Amount to be: refunded \$ </td> </tr> <tr> <td colspan="2" style="text-align: center;"> charged \$ </td> </tr> </table> <table style="width:100%;"> <tr> <td style="width:5%;">a.</td> <td style="width:5%;"> <input checked="" type="checkbox"/> </td> <td style="width:90%;"> A check in the amount of <u>\$920.00</u> to cover the above fees is enclosed. </td> </tr> <tr> <td>b.</td> <td> <input type="checkbox"/> </td> <td> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. </td> </tr> <tr> <td>c.</td> <td> <input checked="" type="checkbox"/> </td> <td> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0311</u> </td> </tr> <tr> <td>d.</td> <td> <input type="checkbox"/> </td> <td> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. </td> </tr> </table> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Daniel Coughlin, Esq. Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. 666 Third Avenue New York, New York 10017 United States of America</p> </div> <div style="width: 45%; text-align: right;"> <div style="font-size: 1.5em; margin-bottom: 5px;">  </div> <div style="border-bottom: 1px solid black; display: inline-block; width: 150px;">SIGNATURE</div> <div style="border-bottom: 1px solid black; display: inline-block; width: 150px;">Flora W. Feng</div> <div style="border-bottom: 1px solid black; display: inline-block; width: 150px;">NAME</div> <div style="border-bottom: 1px solid black; display: inline-block; width: 150px;">51,673</div> <div style="border-bottom: 1px solid black; display: inline-block; width: 150px;">REGISTRATION NUMBER</div> <div style="border-bottom: 1px solid black; display: inline-block; width: 150px;">10 September 2004 (10.09.04)</div> <div style="border-bottom: 1px solid black; display: inline-block; width: 150px;">DATE</div> </div> </div>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	17 - 20 =	0	x \$18.00		\$0.00	Independent claims	1 - 3 =	0	x \$86.00		\$0.00	Multiple Dependent Claims (check if applicable).				<input type="checkbox"/>	\$0.00	TOTAL OF ABOVE CALCULATIONS =					\$920.00	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 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